

BEFORE THE PERSONNEL APPEALS BOARD

STATE OF WASHINGTON

MAUREEN NOKLEBY,

Appellant,

v.

EMPLOYMENT SECURITY DEPARTMENT,

Respondent.

Case No. ALLO-02-0034

ORDER OF THE BOARD FOLLOWING
HEARING ON EXCEPTIONS TO THE
DETERMINATION OF THE DIRECTOR

Hearing on Exceptions. This appeal came on for hearing before the Personnel Appeals Board, BUSSE NUTLEY, Member, on Appellant's exceptions to the director's determination dated December 16, 2002. The hearing was held at in the Personnel Appeals Board Hearing Room, 2828 Capitol Boulevard, Olympia, Washington on August 13, 2003. GERALD L. MORGEN, Vice Chair, reviewed the record and participated in this decision.

Appearances. Appellant Maureen Nokleby appeared *pro se*. Russell Witters, Human Resource Consultant, represented Respondent Employment Security Department.

Background. Appellant submitted a Classification Questionnaire (CQ) as part of a class study conducted by the Employment Security Department (ESD) and the Department of Personnel. Effective January 11, 2002, the Personnel Resources Board adopted the new WorkSource Specialist series. Appellant's position as a Job Service Specialist 2 was laterally reallocated to the new WorkSource Specialist 2 classification. Appellant was notified of this decision by letter dated

1 March 11, 2002. Appellant believed that her position should have been reallocated to the
2 WorkSource Specialist 3 classification, and she requested a review by the Department of Personnel.

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4 On June 27, 2002, Paul L. Peterson, Personnel Hearings Officer, held an allocation review. By
5 letter dated November 15, 2002, Mr. Peterson advised Appellant that her position was properly
6 allocated to the WorkSource Specialist 2 classification. On January 14, 2003, Appellant filed
7 exceptions to the determination of the Department of Personnel.

8
9 **Summary of Appellant's Argument.** Appellant asserts that the director's designee erred when he
10 concluded that she could not be allocated to the WSS 3 level because she does not perform
11 "intensive services." Appellant asserts that she spends the majority of her work time conducting
12 eligibility/job reviews, and that an eligibility review requires her to apply her adjudication
13 knowledge in order to detect issues that arise. Appellant asserts during the interview her
14 adjudication knowledge helps her to adequately provide claimants with information on issues that
15 could affect their unemployment claims. Appellant further argues that her responsibility to conduct
16 an eligibility review represents "intensive services."

17
18 **Summary of Respondent's Argument.** Respondent asserts that Appellant is appropriately
19 allocated to the WSS 2 level. Respondent asserts that Appellant does not perform "intensive
20 services," but that instead, she performs "core services." Respondent argues that Appellant's
21 responsibilities do not require adjudication responsibilities or knowledge. Respondent argues that
22 Appellant's eligibility reviews are not-depth reviews because their primary purpose is to review
23 forms completed by claimants. Respondent acknowledges that Appellant performs some duties that
24 are considered "intensive," but asserts that she does not perform these duties a majority of her work
25 time.

1 **Primary Issue.** Whether the director’s determination that Appellant’s position is properly allocated
2 to the WorkSource Specialist 2 classification should be affirmed.

3
4 **Relevant Classifications.** WorkSource Specialist 2, class code 30120; WorkSource Specialist 3,
5 class code 30130.

6
7 **Decision of the Board.** The purpose of a position review is to determine which classification best
8 describes the overall duties and responsibilities of a position. A position review is neither a
9 measurement of the volume of work performed, nor an evaluation of the expertise with which that
10 work is performed. Also, a position review is not a comparison of work performed by employees in
11 similar positions. A position review is a comparison of the duties and responsibilities of a particular
12 position to the available classification specifications. This review results in a determination of the
13 class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v.
14 Washington State University, PAB Case No. 3722-A2 (1994).

15
16 Appellant’s approved CQ indicates that she “provides a variety of employment related services to
17 claimants for the Job Search Monitoring Program and performs a broad range of professional
18 services assisting customers with utilizing One Stop services.” Appellant conducts on one-on-one
19 job search reviews (also referred to as Eligibility Review Interviews) with claimants, during which
20 she reviews claimant work search activities; explains program services and expectations regarding
21 documented job search activities; provides information on the WorkSource Center and accessibility
22 to core services and intensive services; and makes referrals to appropriate program orientations
23 when needed. A typical eligibility review takes approximately 15 minutes.

24
25 The definition for the class of WorkSource Specialist 3 indicates, in pertinent part, that the
26 incumbent, “Delivers direct core & intensive services to WorkSource, Claimant Placement

1 Program, Food Stamps, WorkFirst Post Employment Labor Exchange, or College Co-Location
2 customers. ..." The Distinguishing Characteristics of the WorkSource Specialist 3 state as follows:

3 This is the fully qualified professional level. Positions at this level work
4 independently, and spend a majority of time providing intensive services or
conducting outreach activities. ...

5 (emphasis added).

6
7 The definition for the class of WorkSource Specialist 2 indicates that the incumbent:

8 performs professional duties in the delivery of direct core services to customers.
9 Conducts in-depth interviews and provides job referrals, placement services, and
10 information regarding agency and partner programs.

11 The question here is whether the Eligibility Review Appellant performs can be considered both
12 "core services" and "intensive services" as contained in the definition for the WorkSource
13 Specialist 3 level.

14
15 We have compared Appellant's duties to the WSS 3 job specification. However, Appellant has
16 failed to prove that she delivers both direct "core" and "intensive" services. Appellant argued that
17 adjudication knowledge is essential to detecting issues that arise during eligibility interviews in
18 order to adequately provide claimants with information issues that could affect their unemployment
19 claim. However, neither the definition nor the distinguishing characteristics of the WSS 3
20 specification require adjudication knowledge to perform at that level. While Appellant's
21 adjudication knowledge maybe useful, it is not an allocating factor.

22
23 WorkSource Specialist 3 Typical Work, in part, includes group and individual employment and/or
24 job training counseling and outlining options with clients; contacting employers to solicit jobs,
25

1 promoting agency services, developing specific openings for special client groups and coordinating
2 mass recruitment efforts of expanding and new companies.

3
4 Appellant does not conduct group/individual employment and/or job training counseling. Rather,
5 Appellant interviews job applicants to assess work history to determine job readiness, and she
6 provides information to clients and answers questions and explains programs services. Appellant
7 assists claimants in developing an employability plan and she assists claimants applying for training
8 benefits. The department acknowledges that both these duties can be considered “intensive” and
9 are listed in the typical duties of the WSS 3 classification. However, Appellant has failed to
10 establish that the majority of her work time is spent on these tasks.

11
12 The distinguishing characteristics indicate that the WSS 2 position is fully qualified working level,
13 and that the incumbent works independently providing a full range of services. The majority of the
14 time is spent performing assignments such as:

- 15 • Interviewing job applicant to determine job readiness and/or making
- 16 referrals to job openings.
- 17 • Providing information and answering questions on the full range of
- 18 agency core services and programs.
- 19 • Monitoring Resource Room activities and assisting with workshops.
- 20 • Writing and verifying job orders.

21 The record clearly supports that the scope of Appellant’s job is to provide a variety of employment
22 related services to claimants. While Appellant’s provides “core” services, she has failed to prove
23 that the majority of services she provides are “intensive” or that she spends more than fifty percent
24 of her time on WSS 3 duties. Appellant has failed to prove that she performs duties at the WSS 3
25 level.

Appellant's overall responsibilities and duties are clearly encompassed by the definition, distinguishing characteristics and typical work of the WorkSource Specialist 2 classification. Therefore, the director's designee's determination that Appellant's assignments are more appropriately allocated to the WorkSource Specialist 2 classification should be affirmed.

Conclusion. The appeal on exceptions by Appellant should be denied and the Director's determination dated November 15, 2002, should be affirmed and adopted.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that the appeal on exceptions by Maureen R. Nokleby is denied and the attached Director's determination, dated November 15, 2002, is affirmed and adopted.

DATED this _____ day of _____, 2003.

WASHINGTON STATE PERSONNEL APPEALS BOARD

Gerald L. Morgen, Vice Chair

Busse Nutley, Member

Personnel Appeals Board
2828 Capitol Boulevard
Olympia, Washington 98504